

Honorable Arthur D. Spatt  
December 8, 2008  
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December 8, 2008

**VIA ECF**

Honorable Arthur D. Spatt, U.S.D.J.  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re:** *Close-Up International, Inc., v. BookMaze, Inc.* 08-Civ-4860(ADS)

Dear Judge Spatt:

I hereby move on behalf of the Plaintiff, pursuant to Rule 50.3 of the Eastern District Rules for Division of Cases amongst Judges pursuant to 28 U.S.C. 137, for consolidation of this copyright infringement case with the many related cases being heard by the Honorable David G. Trager, Senior District Court Judge of this Court, regarding infringements of the copyrights of Plaintiff Close-Up International. These related cases include: 02-CV-2363, Close-Up International vs. Joseph Berov et. al. (DGT), 02-CV-5860, Close-Up International vs. Vladimir Traynin et. al. (DGT), CV-05 4073 Russian Entertainment Wholesale, Inc. vs. Close-Up International, Inc. (DGT), CV-06-2243 Felix Vardanyan vs. Close-Up International, Inc. (DGT), and CV-07-4741 Albert Liberman vs. Close-Up International, Inc. (DGT).

This new case, like the prior cases, regardless of their current procedural posture, involves the same factual issues and issues of law, with which Judge Trager is by now, after many years of hearing these cases, extremely familiar, having adjudicated several cases precisely on these issues, which include the Plaintiff's ownership of the copyright license from the original owners of copyrights herein in these Russian motion pictures under Russian copyright law, as well as proper adjudication of the value of Close-Up's copyrights, following trials, summary judgments, and voluminous testimony and briefing on issues of Russian copyright law. Reviewing this material de novo would be burdensome to a new judge and wasteful of judicial resources.

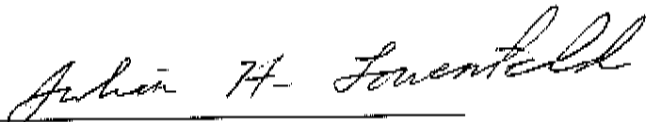
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Many of the important details in this case are anyway identical or grow out of the same transaction or transactions as in the prior listed matters.

Consolidation of this case with other cases concerning Plaintiff Close-Up International will therefore not only involve a significant saving of judicial resources, but will also avoid any danger of contradictory adjudication on identical facts and law.

For the above reasons, I believe, that, pursuant to Rule 50.3, this case should be consolidated to Judge Trager's docket.

Respectfully Submitted,

By:   
Julian H. Lowenfeld

cc: Michael Sproule, Esq.,  
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Atty. For Defendants (by email)